

Listing of Claims:

1. (Currently Amended) A An in vitro method for regulating the expression of an exogenous gene introduced into a cell comprising the steps of:
  - (a) providing a gene promoter comprising a 900 base pair segment of a c-myc promoter containing nCTCTn electromagnetic field response elements fused to a HSP70 gene promoter heat shock responsive element;
  - (b) introducing the gene promoter from step (a) into the exogenous gene so that the promoter controls the expression of the exogenous gene;
  - (c) applying an electromagnetic field to the nCTCTn electromagnetic field response elements so as to thereby regulate expression of the exogenous gene introduced into the cell.
- 2-7. (Canceled)
8. (Original) The method as set forth in claim 1, wherein the electromagnetic field is applied at a field strength of about 8 $\mu$ T and a frequency of about 60Hz for a time of about 30 minutes.
- 9-12. (Canceled)
13. (Previously Presented) An expression vector comprising a gene promoter comprising a 900 base pair segment of c-myc promoter containing nCTCTn electromagnetic field response elements fused to a HSP70 gene promoter heat shock responsive element.

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14-21. (Canceled)

22. (Currently Amended) A An in vitro method for regulating the expression of a nucleic acid in a cell comprising applying an electromagnetic field to a cell having therein an expression vector comprising a gene promoter comprising a 900 base pair segment of a c-myc promoter containing nCTCTn electromagnetic field response elements fused to a HSP70 gene promoter heat shock responsive element wherein the gene promoter permits the expression of the nucleic acid, so as to thereby regulate the expression of the nucleic acid in the cell.

23-29. (Canceled)

30. (Previously Presented) The method in claim 22, wherein the electromagnetic field is applied at a field strength of about 8 $\mu$ T and a frequency of about 60Hz for a time of about 30 minutes.